

ASK THE CONSUL

WEEK ENDING SEPTEMBER 19, 2009

SUNDAY 13

Name: Suzaan

City: Cape Town

Question: Hello

I want to apply for a visa to work on a commercial motor yacht that will be travelling the caribbean.

What visa do I need? What documents do I need to obtain from my captain?

Do I need to show a return flight to South Africa?

Kindest Regards,

Suzaan

Consul's Reply:

Suzaan:

You would be required to apply for a B1 visa and in support of your visa application; you will need to obtain a letter of employment from your captain.

Name: Damien

City: Cape Town

Question: I have a south african and a dutch passport, do I require a visa

Consul's Reply:

Damien:

Please access the following website to determine if your Dutch passport meets the requirements of the U.S. Visa Waiver Program (VWP) -

http://www.usembassy.org.uk/cons_new/visa/niv/vwp3.html. If your passport does qualify, you must then go to the Department of Homeland Security's ESTA program at <http://cbp.gov/xp/cgov/travel/id visa/esta/> to apply for ESTA travel clearance online. If you find that you are not eligible to travel on the VWP, please access the link how to apply on this website for information regarding the visa application process.

Name: Alison

City: Grahamstown

Question: I will be applying for a B2 visa and am curious if 28 Sept is considered a U.S. holiday because it is Yom Kippur.

If not, I would like to schedule my appointment for that day.

Thank you.

Consul's Reply:

Alison:

September 28 is not a public holiday and yes we will be open for visa interviews on that day. Please see on this website under the link how to apply a step-by-step guide as to how to schedule an appointment.

MONDAY 14

Name: Denise

City: Durban

Question: Hello

If I am in possession of a Travel Visa, would I, in the event of wanting to study in the USA, still be able to apply for a Student Visa if the Travel Visa is current, or would I have to wait for the Travel Visa to expire before doing so?

Thank you so much for your assistance.

God Bless.

Consul's Reply:

Denise:

No, you do not need to wait until your current visa expires in order to apply for a student visa.

Name: Barbara

City: Cape Town

Email:

Question: I believe I may qualify in the categories F-1 my father is a USA citizen living in SA and F-4 my brother is a USA citizen living in the USA. I have no dependants. The site refers me to tel no. 011 644 8160 - I can never get through to this line.

a What forms and documents are required to file a petition b How can I obtain the forms c What is the estimated waiting period for such application.

d Is there an alternate contact number and who may I speak to regarding my enquiries.

I thank you in advance for your advice.

Consul's Reply:

Barbara:

Your father may file a form I-130 immigration petition to accord you the family-based first preference category (unmarried son/daughter of a U.S. citizen) with U.S. Citizenship and Immigration Services (CIS). To the extent he is residing in South Africa, he may contact the CIS office in Johannesburg (tel: 01290-3230). Please note that there is currently a waiting period of about six years. In addition, be aware that your father, as your sponsor, would need to have his

principal place of residence in the USA at the time you are preparing to immigrate.

If your brother files the necessary petition on your behalf in the United States, it can take several years (presently the waiting period is about ten years) before the petition is forwarded to the overseas post for further processing. In this respect your U.S. citizen brother should contact the nearest DHS office for further assistance.

Name: Robert

City: North Palm Beach

Email:

Question: my daughter, dr. melissa nau, is traveling in south africa on her u.s. passport and needs to get visas for cambodia and laos as her travel plans have been adjusted. can she get these visas while she is in capetown? also she is running out of visa pages in her passport. can she get extra pages from the consulate in cape town? thank you, robert nau

Consul's Reply:

Robert:

Please contact the consular Cape Town directly at consularcapetown@state.gov regarding extra pages for your daughter's US passport. For information regarding visas for Cambodia and Laos, please contact the Embassy of Cambodia directly at 20726-7742 and the Embassy of the Lao Peoples Democratic Republic at 20336416. Both these Embassies are situated in Washington, D.C., and should be able to assist you with your inquiry.

Name: Michele

City: Johannesburg

Email:

Question: Goodmorning.

I have been invited to visit my boyfriends family in Houston for a month, I will be flying with his siter. Now what i would like to find out is there any extra forms-except the forms mentioned in how to apply- like letters or payslips that are needed. This is my first time so im kinda nervous. On more thing, what happens to the money that you deposited for the visa, if it is denied? Thank you very much

Consul's Reply:

Michele:

Unfortunately, the visa application fee is non-refundable and you may bring any documents that prove the following:

- Your purpose of travel to the U.S.
- You have sufficient funds to cover all expenses in the U.S., or how those expenses will be met by another.
- Your intention to leave the U.S. after your temporary stay.

Name: Anthony

City: San Luis Obispo, CA, USA

Email:

Question: I am a USA citizen and I would like to know if I get married in South Africa to my fiancée, a South African citizen, can I file a I-130 through the US Consulate? How long this process will take? Finally, if it is a requirement that I be living in South Africa when I file the I-130?

Thank you in advance for your assistance.

Consul's Reply:

Anthony:

Generally a US citizen wanting to file an I-130 in South Africa would need to be a resident of South Africa for at least six months before filing; otherwise he will need to file the petition with the appropriate U.S. Citizenship and Immigration Services service center in the U.S. More information is available at www.cis.gov.

TUESDAY 15

Name: Candice

City: Cape Town

Email:

Question: I am a South African married to an American. We both are temporarily working in South Korea at present, but we plan to move to the USA after our contract ends here. How do I go about applying for a US visa, and is it possible for me to do the paperwork and application in South Korea instead of South Africa?

Consul's Reply:

Candice:

Yes, your husband should be able to start the process by filing an I-130 immigration petition on your behalf with the U.S. Citizenship and Immigration Services office at the U.S. Embassy in Seoul. See http://seoul.usembassy.gov/uploads/images/IfDdBDY29UsnZ8onjhTFEw/cis_appt.pdf for further information.

City: Jupiter, FL

Email:

Question: I am planning a trip for my mother to visit the US in November this year. I see the US requires all visa applicants from age 14 to 79 to appear in person at the Consulate to submit their visa applications. She is already 79 years old, as of last February. Is she still required to apply in person? If not, what is she required to do to be able to travel to the US?

Does the visa get granted during the in-person application, or is the 10 courier service used to deliver the visa to the applicant once it is granted?

Consul's Reply:

Jupiter:

Yes, your mother is still required to attend her visa interview. Once she has attended the interview and her visa is approved, she will be required to pay an R66.00 courier fee with our in-house DHL. Thereafter it will be 5 working days for return of her passport with her visa, if her case is approved.

Name: johnson

City: limpopo

Email:

Question: Good day, A student who applies for a F-1 visa, and is currently with a study permit in South Africa. If the applicant has to go to his/her country of origin so as to prove strong ties as an advantage, my question is, if the applicant applies from South Africa but has substantial documents to prove strong ties, does it limit his/her chances in getting a visa

Consul's Reply:

Johnson:

When you apply for a nonimmigrant visa you are required to demonstrate strong family, social, and economic ties outside of the United States. In some instances, it is more difficult for applicants to show strong ties outside of the United States when they apply in a country other than their country of residence. This does not mean that the chances of getting a visa are limited; only that when you apply, you should take special care to bring in documentation at the time of the interview that demonstrates strong ties abroad.

Name: Megan

City: Johannesburg

Email:

Question: I am a naturalised American living back in South Africa. I have been here since January. How do I go about registering my address with the U.S. Consul
Thanks

Megan

Consul's Reply:

Megan:

Please visit the following website in order to register as a US citizen abroad www.travel.state.gov

Name: Kathleen

City: Johannesburg

Email:

Question: Dear Mr Bard

I would like to visit friends and family in the US this December. However, my finances are tight.

I would like to know what is meant apporximately by 'sufficient funds' for travel when presenting a bank account at the Visa interview. Could you please give me a ball-park figure that the Consulate would deem sufficient?

Thanks

Kathleen

Consul's Reply:

Kathleen:

No. The purpose of the bank statement is to help us determine your eligibility for a visa, but there is no minimum requirement.

WEDNESDAY 16

Name: Albert

City: Singapore

Email:

Question: I work in Singapore, but travel on a South Africa passport. I have a valid 10 year visa to enter USA. Do I need to apply on-line or advise USA Immigration that I will be traveling to the USA?

Thank you

Consul's Reply:

Albert:

No, you do not need to advise U.S. authorities of your intent to travel.

Name: Nathan

City: cape town

Email:

Question: Dear Sir,

Can people who got B1/B2 US visa type born a baby in the US? If so, does the baby entitle to US citizenship? When can the baby get the citizenship?
Can the baby hold both nationalities?

Consul's Reply:

Nathan:

While going to the U.S. with the main purpose of giving birth can be problematic, if a B1/B2 traveler has a baby (for example in a medical emergency involving a premature birth) the baby will automatically be a U.S. citizen from birth. In such cases, U.S. law does not prohibit dual nationality.

Name: Phil Pierre Maree

City: Johannesburg

Email:

Question: Good day,

My partner and I wish to visit the USA March 2010, we would like to spend a week in Las Vegas and another week in Disney World or Disney Land. Do I need to do the relevant bookings and obtain the flight tickets prior to applying for my Visa? I do have a previous USA visa but it expires 21/12/2009 Control Number 1999xxxx. Thank you for your assistance.

Consuls Reply:

Phil:

No, you may make a reservation but should not actually purchase plane tickets before you have your visa in hand.

Name: Munier Parker

City: Cape Town

Email:

Question: I have a 10 year visa that expires in 2015. My problem is that my name on my old passport, which has since expired, is spelt wrong. My new passport has the correct spelling of my name but the visa i have is still in the old spelling. To give you an example - My name in my old passport is spelt, Hogamad Monir Parker and my name in my new passport is spelt Mogamad Munier Parker this is the correct spelling. Do i have to apply for a brand new visa?

Consul's Reply:

Munier:

Yes, unfortunately you are required to apply for a new visa. Please see on this website under the link how to apply for information regarding the visa application process.

Name: Ilse
City: Durban
Email:

Question: Hi Daron, I want to apply for the visitors visa, I do not have the finances but the person in America who I'll be visiting will support me What documents and forms does he need to send me to apply for my visa? Or what website can I find this answer?
Thank you

Consul's Reply:

Ilse:

He may send you any documents that demonstrate his ability to cover all your expenses in the US. Note that while your personal finances might be modest, to qualify for a visa you will still need to demonstrate that you have compelling family, social and/or economic ties to South Africa.

Name: JADE
City: CAPE TOWN
Email:

Question: Please confirm if a South African Government official traveling to the USA do they require a visa and please note that they will be using a SOUTH AFRICAN TEMPORARY OFFICIAL PASSPORT

Consul's Reply:

Jade:

Please contact the consulate in Cape Town directly at consulcapetown@state.gov for assistance in this regard.

Name: Andre
City: Karatara, George
Email:

Question: Dear Doron, The visa application fee. Is this per person ? I am hoping to travel to Orlando with my daughter. Do I need to pay 2 x R1074 or just the once off for two visa's ? I ask this as I purchased two PIN's from the Pick 'n Pay and realise that I only really needed the one.
Thank You and look forward to your reply.
Regards.
André

Consul's Reply:

Andre:

While you only need one PIN number in order to schedule an appointment for yourself and your daughter, the visa application fee is USD 131 (currently R1,074) per visa applicant.

Name: Ebrahim

City: Johannesburg

Email:

Question: May I please have a copy of a Letter of Consent for a Minor to Travel.

Reason:

My Daughter will be traveling with my ex-wife to the USA to live with her new Husband, he is a US citizen. The couple got Married in South Africa, My Ex-Wife's plan is to immigrate to the US which I believe is separate process. Right now in order for my daughter and Ex-Wife to go to the US and live as a family with her new Husband my daughter requires a Letter of Consent from me, do you have a sample of such a letter with reference to the USA.

Thanking you in anticipation.

Consul's Reply:

Ebrahim:

No, we do not have an example of this letter as long as the letter is certified and clearly indicates your consent it will suffice.

Name: christopher

City: durban

Email:

Question: Hie Doron.i'm a Zimbabwean student @ university of Zululand in Durban South Africa.I am working with a certain travel agent to help me secure a j1 visa so that i can work to the USA during my vacation from Nov-Feb.i'm in my 2nd year and definately will return to finish my third year.My fear is that i have heard many stories about Non-South Africans being turned down @ my Durban consulate @ a rather higher rate compared to the Capetown & johannesburg consulate according to my research.The Capetown USA consulate does really issue more and seemingly less reluctantly j1 visas to both south african and non south african students than does my Durban consulate.Could you know why this is so?Isn't the fact that i'm a 2nd year student enough to come back to irregardless of being non-south african?

Consul's Reply:

Christopher:

When you apply for a nonimmigrant visa you are required to demonstrate strong family, social, and economic ties outside of the United States. In some instances, it is more difficult for applicants to show strong ties outside of the United States when they apply in a country other than their country of residence. This does not mean that you cannot receive a nonimmigrant visa; only that when you apply, you should take special care to bring in documentation at the time of the interview that demonstrate strong ties abroad.

Name: Clark

City: Trainor

Email:

Question: I am the attorney of record on an approved H2B petition. One of the beneficiaries will be applying for the visa stamp through your office. Please confirm that the original I797 approval notice is no longer required now that PIMS is in place.

Consul's Reply:

Clark:

That is correct. The original I-797 approval notice is no longer required in petition-based nonimmigrant visa cases.

THURSDAY 17

Name: Ajiri

City: George

Email:

Question: I am a Nigerian national currently taking courses to obtain my Private Pilot License from Cape Flying Services in George. I would like to proceed to US flight Academy in the USA to obtain my commercial pilot license.

US flight Academy has already offered me admission.

Kindly furnish me with the necessary requirements for me to obtain entry visa to USA.

Thank you

Consul's Reply:

Ajiri:

U.S. Flight Academy should provide you the necessary I-20 or DS-2019 certificate allowing you to apply for a U.S. visa.

Name: ID Retief

City: Cradock

Email:

Question: My passport is damaged. I have applied for a new passport. I absolutely do not want to travel with two passports. Am I allowed to apply for a new visa to put in my new passport?

Consul's Reply:

Cradock:

Yes, you are welcome to apply for a new U.S. visa in your new passport.

Name: adenike

City: johannesburg

Email:

Question: I have a passport/visa from other country other than south africa and want to renew my visa, can i renew my visa here or have to be in my country of origin? i have a temporary permit valid till next year Dec.. what are the document required for renewal, fo i need appointment/interview or is a drop box. thanks

Consul's Reply:

Adenike:

We suggest that potential applicants apply for their nonimmigrant visas in their home countries as they will need to prove strong ties to a residence outside the United States to which they will return. If you still wish to apply here, please see on this website under the link how to apply for information regarding the visa application process.

Name: Thandi
City: Cape Town
Email:

Question: I would like to travel to the US in December 2009 and my passport expires in May 2010. Would I still be able to get a visa for this passport or do I need a new one? Some countries need you to have 6 months left and a certain number of pages left in order to obtain a visa. What are your requirements? Thanks, T

Consul's reply:

Thandi:

No, a reciprocal agreement between South Africa and the U.S.A. automatically extends the validity of your South African passport by six months, so the passport *will* be valid for your travel to the U.S.A. during December 2009 even though it may expire less than six months after you return.

Name: Will
City: Scottsdale, Arizona
Email:

Question: Our client, Susan Mary Swaak, JHN2009557006 has returned all of her required documents to the National Visa Center. She is waiting for the South Africa Consul at Cape Town to schedule her immigrant interview. She is the mother to the U.S. citizen sponsor, Justin Herman. Please let us know the status of this Interview. Thank you.

Consul's Reply:

Will:

The consulate in Johannesburg is the only consulate that handles immigrant visas. However, immigrant visa interviews are scheduled through the National Visa Center on our behalf once the file is current and ready for adjudication. Please ask the Ms. Swaak to contact us directly at 01290-3000 for further assistance regarding her immigrant visa application.

Name: Victor
City: Cape town
Email:

Question: I am Congolese Kinshasa citizen, I try two times to get a visa from Cape Town consulate, but the officers refused to give to me. They are pretend that I don't have a good ties in South Africa but, I have the retirement permit until 2013 and I apply all ready for the permanent one. And I both a business accommodation in Bantry Bay, the property is mine I have the registration on my name. I'm not running it but I have a manager for that and another six workers. I register a company in my name together with my wife. So I'm not understand why officer send me to my country to apply there. Other ways I have a account in Belgium with a visa credit card. I want to know if from all of this reason I'm not eligible for non-immigrant visa. I have also a British visa valid for two years multiple entry and schengen from Italy consulate valid for six months. Thank's for your attention

Consul's Reply:

Victor:

While we cannot comment on specific cases in this forum we can comment generally on situations like this one. When someone applies for a nonimmigrant visa he or she must demonstrate that he or she has strong family, social, and economic ties outside of the United States. In some instances, it is more difficult for applicants to show strong ties outside of the United States when there are family members who are U.S. residents. This does not mean that someone who has family in the United States cannot receive a nonimmigrant visa; only that the applicant should take special care to bring in documentation at the time of the interview to demonstrate ties abroad. Please contact the Cape Town consulate directly at consularcapetown@state.gov regarding any further inquiries.

Name: Jennifer Paredes
City: Boca Raton, Fl.
Email:

Question: I am a U.S. Citizen and my nephew recently applied for a visitors Visa and was denied because he did not have enough money in his bank account. Is this possible?

Consul's Reply:

Jennifer:

Unfortunately we are not able to discuss visa applications with anyone other than the visa applicant himself. If your nephew has any inquiries regarding his recent refusal, he may contact the Consulate at which he applied directly via e-mail: consularjohannesburg@state.gov, consularcapetown@state.gov or consulardurban@state.gov

FRIDAY 18

Name: Tiaan

City: Johannesburg

Email:

Question: To whom it may concern,

I would like some advise on a seamans visa.

I have been to the states twice on an h2b and I returned early August when I was on a J1 12month visa. I have always left the states in good terms.

I want to work for a cruise line next but in order to do that I need a seamans visa how long do I have to stay in South Africa before I can apply for the visa which i believe is a c1d visa.

Any information would be appreciated.

Thank you

Tiaan

Consul's Reply:

Tiaan:

We do not have any constraints as to how soon after you have returned from the US you apply for another visa.

Name: Lara

City: Cape Town

Email:

Question: Hi

Im applying for my B1 B2 to go and rejoin the yacht i work on in Fort Lauderdale...as my last B1 B2 has expired.Could you please inform me on all the neccesary documents i will need to ensure that the interview goes smoothly and i wont have to reschedule another one.I have papers from the yacht...both the registration of the yacht,letter of employment and a crew list.This are on letterheads...do i need anything else?Your help will be greatly appreciated
Lara

Consul's Reply:

Lara:

Please bring the documents you have mentioned, as well as any other evidence you would like to provide to show strong ties to South Africa as your place of permanent residence.

Name: Irene

City: Johannesburg

Email:

Question: I am planning a visit New York in November/ December 2009, i would like to stay for 2 months, i however dont know which passport would be the best to use for the application. I have dual citizenship both in South Africa and in Greece, so i hold a South African and a EU Greek passport. Does it make a difference which one i use?

Please help

Thank You

Irene

Consul's Reply:

Irene:

You may use either of your valid passports to apply for a U.S. visa.

Name: Krystle

City: George

Email:

Question: I went to the USA on a J-1 Aupair visa but did not complete my year. I have been back in SA for 5 years, can I get another J-1 Aupair visa to return to the USA if I have an Aupair company that would let me apply through them?

Consul's Reply:

Krystle:

Yes, you are welcome to apply for a new J-1 visa, however we are unable to pre-adjudicate visa cases before an applicant has attended the interview, and as a result we cannot guarantee the issuance of your J1 visa.

Name: Emma

City: Durban

Email:

Question: Hi

Im an English Citizen, can i apply for a b1 b2 visa from within south africa?

Consul's Reply:

Emma:

Since you hold a British passport, it is possible you do not need a visa at all but can travel on the Visa Waiver Program (VWP). Please access the following website to determine if your passport meets the requirements of VWP - http://www.usembassy.org.uk/cons_new/visa/niv/vwp3.html. If your passport does qualify you must then go to the Department of Homeland Security's ESTA program and fill out its ESTA form to take advantage of the VWP. You can apply for ESTA at this website http://cbp.gov/xp/cgov/travel/id_visa/esta/. If you find that you are not eligible to travel on this program, you would need to apply for a visa. However, we suggest that potential applicants apply for their nonimmigrant visas in their home countries as they will need to prove strong ties to a residence outside the United States to which they will return. If you still wish to apply at the U.S. Consulate General, please see on this website under the link how to apply' for information regarding the visa application procedure.

Name: Elizabeth

City: Pretoria

Email:

Question: My sister is a US citizen. She wants me to move to the USA. How long will it take for a relative visa? She also wants my mom to come over on a relative visa both of us as immigrants. How long will it take for my mom? Can I apply in Canada where I am studying or do I need to go back to South Africa?

Consul's Reply:

Elizabeth:

Sibling immigrant visa applications can take 10 years or more due to legal quotas. Your mother's immigrant visa application, on the other hand, should take less than 2 years. You do not necessarily need to return to SA for an immigrant visa application, as this application can also be processed through the US consular post serving your place of residence, e.g., the U.S. Consulate General in Montreal which processes all immigrant visa applications for residents of Canada.

City: Pretoria

Email:

Question: Good day

My colleague and I want to attend a conference in Seattle and would like to visit the USA from 14 to 23 October 2009. It will be a business trip 1. I struggle to find information on supporting documentation that I should submit with my VISA application besides the completed DS 156, my passport, photo and deposit slip?

2. We hope to get approval for the trip early next week and will then immediately start the VISA application process, will we have enough time to get a VISA before we have to leave?

Your assistance will be appreciated.

Regards

Susan

Consul's Reply:

Susan:

Please see under the link how to apply for information regarding the visa application process and when scheduling an appointment please have in mind that the visa process takes 5 working days for return of your passport with visa if your case is approved. This should ensure the return of your passport in time for your trip to the US. Feel free to provide any supporting documentation you think will be helpful in establishing your employment in South Africa and explaining your purpose of travel.